

Decision 04-11-025 November 19, 2004

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of the Los Angeles County Metropolitan Transportation Authority for an order authorizing the construction of a two-track at-grade crossing for the Eastside Corridor Light Rail Transit Line across Lorena Street in the City of Los Angeles.

Application 03-06-022  
(Filed June 19, 2003;  
Supplement filed January 15,  
2004)

**O P I N I O N**

**Summary**

This decision grants Los Angeles County Metropolitan Transportation Authority's (MTA) request for authority to modify Decision (D.) 04-05-044, dated May 27, 2004, in Application (A.) 03-06-022, to clarify the proper description of the proposed two-track at-grade highway-rail crossing (crossing), as part of MTA's Eastside Corridor Light Rail Transit Line (ELRL) project, across Lorena Street in the City of Los Angeles, Los Angeles County.

**Discussion**

By D.04-05-044 in A.03-06-022, the Commission granted MTA authority to construct, as part of MTA's ELRL project, the proposed crossing across Lorena Street.

In a letter dated June 17, 2004, MTA informed the Commission's Rail Crossings Engineering Section (RCES) of the proper description of the proposed crossing. The proposed crossing is to consist of two ELRL tracks across Lorena Street. MTA also suggested, in the interest of clarity, that RCES replace

statements on page 7 and paragraph 11 of the “Findings of Fact” of D.04-05-044 with statements from MTA’s Supplement to Application relating to the vertical clearance.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Assignment of Proceeding**

Richard Clark is the assigned Examiner in this proceeding.

### **Findings of Fact**

1. Notice of the Application was published in the Commission’s Daily Calendar on June 23, 2003. There are no unresolved matters or protests; a public hearing is not necessary.

2. By D.04-05-044 in A.03-06-022, the Commission granted authority, under Public Utilities Code Sections 1201-1205, to MTA to construct, as part of MTA’s ELRL project, the proposed crossing across Lorena Street in Los Angeles, Los Angeles County.

3. In a letter dated June 17, 2004, MTA informed RCES of the proper description of the crossing identified in the Application.

### **Conclusions of Law**

1. The Application is uncontested and a public hearing is not necessary.
2. D.04-05-044 should be revised as set forth in the following order.

**O R D E R**

**IT IS ORDERED** that:

1. The first sentence of the first paragraph of the “Discussion” on page 1 of Decision (D.) 04-05-044 shall be revised to state, “MTA proposes to construct two ELRL tracks across Lorena Street at the intersection of First Street.”

2. The first complete paragraph on page 7 of D.04-05-044 shall be revised to state, “MTA filed a Supplement on January 15, 2004. In the Supplement, MTA stated, ‘Consideration of the alternative of lowering the tracks beneath Lorena Street reveals that a 72-inch storm sewer exists in Lorena Street with its top approximately 17.6 feet below the street surface. It would be impossible to construct the tracks beneath the street within this vertical clearance envelope. Thus planning to construct the tracks beneath the street would lead to adopting a plan of extending the tunnel eastward from the planned east portal beneath the 72-inch storm sewer.’ Extending the tunnel eastward below the storm sewer, while not exceeding the light rail vehicle’s maximum negotiable grade of 6 percent, would require the tunnel segment to bypass the proposed at-grade crossing at the intersection of 1<sup>st</sup> Street and Indiana Street, the ground-level Lorena Street Station, and the at-grade crossing at the intersection of 3<sup>rd</sup> Street and Indiana Street due to their close proximity (within 1000 feet). Consequently, RCES concurs with MTA’s assertion in the Application and Supplement that separation of grades of the proposed crossing would be impracticable.”

3. Findings of Fact 2 shall be revised to state, “MTA requests authority, under Public Utilities Code Sections 1201-1205, to construct, as part of MTA’s ELRL project, two tracks across Lorena Street, in Los Angeles, Los Angeles County.”

4. Findings of Fact 3 shall be revised to state, “Public convenience and necessity require construction of the proposed crossing at Lorena Street.”

5. Findings of Fact 11 shall be revised to state, “MTA stated in the Supplement, ‘Consideration of the alternate of lowering the tracks beneath Lorena Street reveals the fact that a 72-inch storm sewer exists in Lorena Street with its top approximately 17.6 feet below the street surface. It would be impossible to construct the tracks beneath the street within this vertical clearance envelope. Thus planning to construct the tracks beneath the street would lead to adopting a plan of extending the tunnel eastward from the planned east portal beneath the 72-inch storm sewer.’”

6. Ordering Paragraph 1 shall be revised to state, “Los Angeles County Metropolitan Transportation Authority (MTA) is authorized to construct the proposed two-track at-grade highway-rail crossing, identified as CPUC Crossing No. 84E-3.25, as part of MTA’s Eastside Corridor Light Rail Transit Line (ELRL) across Lorena Street, in Los Angeles, Los Angeles County, at the location and substantially as described and shown by plans attached to the Application, Supplement to Application, and Appendix B attached to this order.”

7. In all other respects, D.04-05-044 shall remain in full force and effect as set forth above.

8. Application 03-06-022 is closed.

This order becomes effective 30 days from today.

Dated November 19, 2004, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
CARL W. WOOD  
LORETTA M. LYNCH  
GEOFFREY F. BROWN  
SUSAN P. KENNEDY

Commissioners